

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) No. 17-CR-10277 MLW (JGD)
)
v.)
)
(1) PETER MOLLOY, a.k.a. Scooby, and)
)
(2) ADRIAN CARLOS MALDONADO,)
a.k.a. Carlos,)
)
Defendants.)

JOINT SUBMISSION OF THE PARTIES UNDER LOCAL RULE 116.5(b)

Pursuant to Local Rule 116.5(b), the Government and the defendants jointly submit this status report to advise the Court in advance of the Interim Status Conference set for March 29, 2018.

I. Status of Discovery

Automatic discovery has been provided by the government to both defendants.

II. Additional Discovery

As additional discovery has been received by the government it has been produced to the defense. The government does not anticipate receiving substantial additional materials, but as any additional materials are discovered or (as the investigation is ongoing) are created, they will be provided promptly to the defense.

III. Protective Orders

The parties have not yet identified the need for protective orders. Should issues arise for which protective orders may be appropriate, the parties will submit the appropriate requests to the Court.

IV. Timing of Pretrial Motions

The government and the defendants are in pretrial plea negotiations, which (if successful) will obviate the need for pretrial motions. The parties request the Court delay setting a motions deadline at this time, and instead take up the matter at a Final Status Conference.

V. Timing of Expert Witness Disclosures

The parties are discussing the timing of expert witness disclosures. As no trial date has yet been set, the parties request that they be allowed additional time to discuss the matter and that no date for expert witness disclosure be set at this time.

VI. Defense of Insanity, Public Authority, or Alibi

No defendant has noticed a defense of insanity, public authority, or alibi.

VII. Periods of Excludable Delay under the Speedy Trial Act

The parties agree that, to date, there have been no non-excludable days under the Speedy Trial Act. In order to provide time for the defendants to review the recently produced discovery, for the defense to confer regarding defense strategy and possible defense positions and motions, and for the defense to confer with government counsel about discovery issues and possible pretrial resolutions of the case, the parties jointly request that the time between March 29, 2018, and the date of the next Interim Status Conference be excluded under the Speedy Trial Act. The parties request that the Court find that the ends of justice served by the granting of such a continuance outweigh the best interests of the public and the defendant in a speedy trial, *see* 18 U.S.C. § 3161(h)(7)(A), in that the failure to grant the continuance would unreasonably deny the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, *see* 18 U.S.C. § 3161(h)(7)(B).

VIII. Timing of Final Status Conference

In light of the above, the parties believe it is not necessary to hold an Interim Status Conference on March 29, 2018. The parties request that the Court vacate the March 29, 2018 Interim Status Conference, and schedule a Final Status Conference no earlier than the week of May 14, 2018.

DATED: March 27, 2018

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Karen D. Beausey
Karen D. Beausey
Assistant U.S. Attorney

DATED: March 27, 2018

Peter Molloy
By his attorney:

/s/ R. Bradford Bailey, Esq.
R. Bradford Bailey, Esq.
Brad Bailey Law, P.C.

DATED: March 27, 2018

Adrian Carlos Maldonado
By his attorney:

/s/ Jamiel Allen, Esq.
Jamiel Allen, Esq.
Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

DATED: March 27, 2018

/s/ *Karen D. Beausey*

Karen D. Beausey
Assistant U.S. Attorney